
**Agriculture & Natural Resources
Committee**

HB 2308

Brief Description: Regulating applications for forest practices on lands located within the boundaries of master planned resorts established under chapter 36.70A RCW.

Sponsors: Representative Van De Wege.

Brief Summary of Bill

- Prohibits all applications for forest practices that are to occur within the boundaries of a master planned resort to be denied unless the land will be converted into a nonforestry use.

Hearing Date: 1/13/16

Staff: Jason Callahan (786-7117).

Background:

Forest Practices Applications.

Prior to conducting a harvest or other significant silvicultural treatment on forest land, a forest landowner must apply to either the Department of Natural Resources (DNR) or, in some cases, the applicable county, for approval for the proposed forest practice. The forest practices application process and fee required varies depending on what class of forest practice is proposed. A forest practice can fall into one of four classes:

- **Class I forest practices** have a minimal direct potential for damaging a public resource. Most class I practices do not require preapproval by the DNR.
- **Class II forest practices** have a less than ordinary potential for damaging a public resource. Class II practices require notification to be given to the DNR, but does not require a formal approval.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- **Class III forest practices** are silvicultural treatments that do not fit into the definition of the other classes of forest practices. They have a higher potential to damage a public resource than class II practices, but a lesser potential than class IV practices. Class III forest practices do require pre-approval from the DNR.
- **Class IV forest practices** have a potential for substantial impact on the environment. This includes harvesting within an urban growth area and harvesting in an area that is likely to be developed into a nonforestry use. Class IV practices require preapproval by the DNR in some cases, and by local government in other cases.

Specific reforestation requirements apply after a logging operation [RCW 76.09.070]. With some exception, the landowner has three years after harvest to achieve satisfactory reforestation. One exception to the reforestation rules is when the landowner intends to convert his or her land to a nonforestry use after the harvest [RCW 76.09.060(3)(a)(i)].

The DNR may not approve portions of forest practices applications if the applicable local government objects to the proposed harvest within the established timelines [RCW 76.309.050 (7)]. If a local government objects to the approval of an application, the DNR may appeal the local objection to the Forest Practices Appeal Board.

Master Planned Resorts

The Growth Management Act allows a county to permit master planned resorts in an area outside of any urban growth areas established for the county [RCW 36.70A.360]. A master planned resort is a self-contained and fully integrated development of a scale that would not otherwise be permitted in an area outside of an urban growth area. Master planned resorts must be located in a setting of significant natural amenities and have a primary focus on destination resort facilities consisting of short-term visitor accommodations. All capital facilities, utilities, and services located within a master planned resort must be limited in scale so as to only service the master planned resort. Full-time residences are allowed to be sited within the boundaries of a master planned resort; however, those residential use must be integrated into the on-site recreational nature of the resort.

A county may only approve a master planned resort if certain conditions are satisfied. In order for a master planned resort to be approved, the master planned resort must be envisioned in the county's comprehensive plan, existing development regulations must restrict any additional urban or suburban development within the vicinity of any master planned resort, the county must find that the land for a proposed master planned resort is better suited for a master planned resort than for commercial timber or agricultural production, and all infrastructure and service impacts must be fully considered and mitigated.

Summary of Bill:

The DNR and any applicable County must deny all applications for forest practices that are to occur within the boundaries of a master planned resort unless the land will be converted into a nonforestry use after the harvest consistent with all land use and forest practices regulations. The prohibition on nonconversion harvests within a master planned resort applies regardless of whether the application is being reviewed for approval by the DNR or by the local county.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.